

# Notice of Allowability

Application No.

10/658,337

Examiner

Darren W. Ark

Applicant(s)

WACHA, WILLARD C.

Art Unit

3643

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone Interview 7/6/06.
2. ☒ The allowed claim(s) is/are 1, 16-21, 27-29, 31, 33-36 and 38-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



**DARREN W. ARK**  
**PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Pietrangelo on Thursday, July 06, 2006.

The application has been amended as follows:

Claim 1. A ~~metal~~ lip jig rig, comprising:

a lip, the lip having a front portion and a back portion to help the lip jig rig sink when placed in water, and the lip having a longitudinal axis extending between the front portion and the back portion;

a punched out strap integral with the lip adapted to receive a fishing line, the punched out strap having two ends each attached to the lip, the punched out strap being defined between two longitudinally extending edges thereof which extend between the two ends and are raised above an upper surface of the lip, the punched out strap being oriented generally along the longitudinal axis of the lip;

a first aperture on the front portion of the lip;

a second aperture on the back portion of the lip;

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a hook attached to the lip at an area between the first aperture and the second aperture, wherein said hook is attached to the lip by a molded material encasing both an end of the hook and an ~~[[the]]~~ area between the first and the second aperture; and

a plurality of spurs on opposed lateral sides of the lip at the area provided between the back portion and the front portion of the lip, each of the plurality of spurs having a first end on the area between the first and the second aperture and a second pointed end spaced from the area between the first and second aperture, each of the plurality of spurs tapering from the first end to the second pointed end such that each spur projects from the molded material in a direction generally toward the front portion of the lip.

Claim 16, line 2, deleted first occurrence of "metal".

Claim 18. A non-toxic fishing sinker comprising:

a body ~~comprising~~: comprising a broad lip portion with a rounded outer edge at a front portion of the body, the outer edge tapering to substantially parallel opposed lateral sides of a narrow elongated neck portion at a back portion of the body, and a longitudinal axis extending between the broad lip portion and the elongated neck portion;

a first aperture at an end of the neck portion opposite the lip portion;

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a hook attached to the body at an area along the narrow neck portion, wherein said hook is attached to the body by molded material encasing an end of the hook and the area along the narrow neck portion;

a plurality of rigid spurs projecting from the body on opposed lateral sides of the body, each of the plurality of spurs having a first end on the area along the narrow neck portion and a second pointed end spaced from the area along the narrow neck portion, each of the plurality of spurs tapering from the first end to the second pointed end such that each spur projects from the molded material in a direction generally toward the broad lip portion at the front portion of the body;

~~means for receiving a fishing line~~ a punched out strap integral with the lip adapted to receive a fishing line, the punched out strap having two ends each attached to the lip, the punched out strap being defined between two longitudinally extending edges thereof which extend between the two ends and are raised above an upper surface of the broad lip portion, the punched out strap being oriented generally along the longitudinal axis of the lip; and

means for promoting sinking of the sinker when exposed to a flow of water.

Canceled claims 23-25.

Claim 31, line 2, deleted "one of a second hook and".

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2. The following is an examiner's statement of reasons for allowance:

In regard to claim 1, the prior art of record does not disclose a lip jig rig comprising the punched out strap being defined between two longitudinally extending edges thereof which extend between the two ends and are raised above an upper surface of the lip, the punched out strap being oriented generally along the longitudinal axis of the lip; wherein said hook is attached to the lip by a molded material encasing both an end of the hook and an area between the first and the second aperture; and a plurality of spurs on opposed lateral sides of the lip at the area between the back portion and the front portion of the lip, each of the plurality of spurs having a first end on the area between the first and the second aperture and a second pointed end spaced from the area between the first and second aperture, each of the plurality of spurs tapering from the first end to the second pointed end such that each spur projects from the molded material in a direction generally toward the front portion of the lip.

In regard to claim 18, the prior art of record does not disclose a non-toxic fishing sinker comprising the hook is attached to the body by molded material encasing an end of the hook and the area along the narrow neck portion; a plurality of rigid spurs projecting from the body on opposed lateral sides of the body, each of the plurality of spurs having a first end on the area along the narrow neck portion and a second pointed end spaced from the area along the narrow neck portion, each of the plurality of spurs tapering from the first end to the second pointed end such that each spur projects from the molded material in a direction generally toward the broad lip portion at the front portion of the body; and the punched out strap being defined between two longitudinally

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extending edges thereof which extend between the two ends and are raised above an upper surface of the broad lip portion, the punched out strap being oriented generally along the longitudinal axis of the lip.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (571) 272-6885. The examiner can normally be reached on M-F, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Darren W. Ark  
Primary Examiner  
Art Unit 3643

DWA